TL5106

MEMO: East Timor

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ACFOA HUMAN RIGHTS OFFICE
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31 October 1986

1. The UN and Indonesian general elections

1.1 The Canberra Times of 20 October 1986 carried the following Reuter's report bylined Jakarta: 'The UN Secretary-General has been mediating between Portugal and Indonesia and a source close to the Indonesian Government said an agreement was very close. He said Portugal would accept next April's parliamentary elections on East Timor as an act of self-determination'.

1.2 This proposal, or variations of it, has been circulating for some months and is reported to be a Portuguese idea. As I understand it the idea is to have UN representatives observe the Indonesian general elections in ET next April (some reports have mentioned May) 1987 as a way of measuring Timorese attitudes towards integration.
Anacoreta Correia, the Portuguese MP who visited ET in July) says in his report that General Murdani stressed to him the fact that elections will be held in ET in May 1987 and that Indonesia is planning to invite UN observers as well as other personalities.

In view of Murdani's openness to inviting outside observers to visit Timor in the context of the elections, it should be noted that the request by the joint Australian-British Parliamentary human rights groups to undertake a human rights mission to ET has been refused by the Indonesian Government precisely on the grounds that it is not convenient at this time due to preparations for the elections.

1.3 Several petitioners, including ACFOA, criticised the 'elections proposal' in their addresses to the UN Decolonisation Committee in New York on August 15, making the following points:

a. a UN presence in ET in the context of general elections would amount to UN recognition of integration and would therefore conflict with current UN policy on the issue;
b. elections in military occupied ET could not be a genuine expression of the people's wishes:
c. the Indonesian election process would not satisfy the requirements of a genuine act of self-determination as laid down in UN procedures;
d. the Indonesian election process per se is heavily manipulated and undemocratic.

1.4 As agreed at the Timor solidarity meeting in New York on August 16, ACFOA has written to the International Commission of Jurists in Geneva requesting the ICJ to commission a study of the appropriateness of the proposal and make its findings public. ACFOA proposed to ICJ that it commission Michel Robert of the Sorbonne to prepare the study.

1.5 Action proposals

a. seek confirmation or denial from the Portuguese government in your country, register protest in principle, and publicise the reply;
b. seek clarification from the UN Secretary-General, Mr Perez de Cuellar, UN Plaza, New York, NY 10017 and register protest in principle.

c. publicise the strategy and organise broad protest stressing the alternative, viz direct consultations with the Timorese people, including Fretilin, in the UN sponsored talks under the 1982 UN mandate, normalised access, and independent fact-finding missions (such as the Australian-British Parliamentary mission referred to above which Indonesia has rejected).

2. New offensive in East Timor

Reports have recently been received in Australia in October that Indonesia is preparing for a new military offensive in ET code-named Operasi Kikis (Operation Eradicate). 30 battalions are reportedly involved, 12 of which are located in the Baucau area, the balance in the border and Eastern sectors. It is reported that over 100 arrests have been made in the lead up, including detention in Dili of two ETimorese students from Jakarta home on leave: Domingos Sarmento (a law student at the Christian University of Indonesia: UKI), and Germano da Silva (a final year student in public administration at Lembaga Administrasi Negara, LAN).
It is surmised the offensive may be in response to a Fretilin attack on Viqueque early in October during which, it is said, Fretilin occupied the town for 3 days, killing 7 Indonesian soldiers and 4 Hansips (Timorese conscripted by Indonesia), and destroying two Indonesian military vehicles.
It is also possible the offensive is designed to neutralise the resistance and pre-empt any embarassing disruption of the election process in April 1987 which, it is suggested, the UN will observe.

3. Students seek political asylum

Four East Timorese students sought political asylum at the Dutch embassy in Jakarta on October 20. They are: Antonino Goncalves, Joao Freitas da Camara, Fernando Soares and Abilio Sereno - all students at the Catholic Atma Jaya university in Jakarta.

Antonino Goncalves and Joao de Camara were earlier detained on Sept.3 and Sept. 16 respectively and released on October 11.

The four were seeking Dutch assistance to leave for Portugal whose affairs in Jakarta have been handled by Holland since Portugal severed diplomatic relations with Indonesia in 1975.

The four left the Embassy on October 23 in the custody of the Rector of Atma Jaya university, Gerald Bonang, who has told the students it was not right for them to ask for political asylum. They are currently residing with Guilhermo Goncvales, a former Indonesian appointed Governor of ET, now an Indonesian MP. He is Antonino Goncalves' uncle.
Dutch Embassy officials in Canberra claim that 'everything has been resolved to everyone's satisfaction'. This is not so. Though the Dutch Ambassador has given the students a letter of safe conduct (which is taken to mean that the Dutch Government is continuing to take official care of the students even though they are now outside the Embassy) and has assured them their request will be processed, the four are extremely anxious for their personal security and deeply worried about their chances of leaving. They have received a number of threatening phone calls at their residence and are worried that Indonesian death squads which have resumed their activities in recent times may target them.
It is important to emphasise that the four did not leave the Dutch Embassy voluntarily. They were not physically removed, but

nevertheless did not want to depart, and only left after the Ambassador threatened to call in the Indonesian police. They returned to the Embassy last Monday and Tuesday to find Indonesian police on duty to prevent them entering. The Dutch Ambassador talked with them outside the Embassy and repeated his assurances.

Both the Indonesian Foreign Minister, Dr Mochtar, and the Dutch Foreign Minister, Mr Hans van den Broek, who was in Jakarta at the time, agreed that there was no ground to grant them political asylum, according to an AFP report of 23 October.

Action proposal

a. Portugal should be pressured to take them immediately and request the Dutch, as their representatives in Indonesia, to to take complete responsibility for the students, until they safely leave Jakarta.

Mr Mario Soares,
President, Republic of Portugal.
Telex: 16 733

Dr Cavaco Silva,
Prime Minister, Republic of Portugal,
Telex 12 274.

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Australia

The Ambassador,
Embassy of Portugal,
8 Astrolabe St,
Red Hill, ACT 2603.

Telex: 62 649 Tel: 062/95 9992.

b. The Netherlands should be firmly requested to take full responsibility for the welfare of the students and guarantee their safe departure from Indonesia.

4. Pacific Conference of Churches assembly resolution

Mr Jose Felipe from Sydney attended the PCC General Assembly in Western Samoa in September. All major Churches in the South Pacific were represented. The following resolution was adopted:

'Being concerned about reports of human rights violations;
believing that decolonisation calls for recognition of the inalienable rights of self-determination and self-rule;
The Justice and Peace Group recommend that PCC for the next 5 years:

a. continue to be a forum for expression of solidarity with and concern for the oppressed (be it in East Timor, in Irian Jaya, Australia, Nes Caledonia etc.)
b. in supporting any independent movement in all the Pacific to address the issue of Protection of minority groups both before and after eventual independence;
c. for the PCC member Churches to set aside an appropriate day of prayer and fasting at its discretion as an expression of solidarity in the struggle for justice, independence and peace; and
d. for the PCC to send a message to the Indonesian Communion of Churches expressing concern for the East Timor situation because of:
    1. the continuing violations of human rights, including

persecution of church leaders;

2. the continuing occupation of East Timor by military forces;
3. the need for cooperation called by the UN for peaceful solutions of the problem'.

Action proposals

a. That the text of this resolution be conveyed to Church bodies and groups in your country;

b. That your organisation congratulate the PCC on its policy and request to be informed of the date of the proposed day of prayer and fasting so that international Church groups might organise a simultaneous event in solidarity.

Mr Baiteke Nabetari,
Secretary,
Pacific Conference of Churches,
PO Box 208,
Suva,
Fiji. Tel. 311 335

5. Miscellaneous

5.1 Nelson Santos, a 17 year old ETimorese high school student from Melbourne, is currently visiting Canada as part of the International Youth Tour for Peace and Freedom. Some 80 young people from diverse conflict situations around the world are participating.

5.2 Mimi Ferreira, from Darwin, and Mgr da Costa Lopes, are about to commence a tour of Japan.

5.3 Pope John Paul II will visit Australia in late November. The East Timorese community have asked to meet with him to request a new initiative for a just settlement of the Timor tragedy. They have also asked the Australian Aborigines to make reference to both East Timor and West Papua in their speeches to the Pope. As well the Timorese are preparing an open letter to the Pope which will be made public.

Pat Walsh